

OLIVA J. BAKER.

JUNE 8, 1910.—Committed to the Committee of the Whole House and ordered to be printed.

Mr. PRINCE, from the Committee on Claims, submitted the following

REPORT.

[To accompany H. R. 6776.]

The Committee on Claims, to whom was referred the bill (H. R. 6776) for the relief of Oliva J. Baker, widow of Julian G. Baker, late quartermaster, United States Navy, having considered the same, report thereon with a recommendation that it do pass with the following amendments:

Page 1, line 6, after the word "of," strike out the words "five thousand dollars" and insert in lieu thereof the words "one thousand and twenty-two dollars; and said sum of one thousand and twenty-two dollars is hereby appropriated."

Page 1, line 10, add the following:

Provided, That where the deceased left a widow and no children, the widow shall receive all the compensation allowed, and where the deceased left a widow and children, the widow shall receive one-half of the compensation received and the children shall share and share alike: *And provided further*, That no agent, attorney, firm of attorneys, or other persons engaged heretofore, or hereafter, in preparing, presenting, or prosecuting any claim or claims above referred to shall, directly or indirectly, demand, receive, or retain for such services in preparing, presenting, or prosecuting such claims, or for any service or act whatsoever in connection of such claims, a sum greater than five per centum of the amount of such claim, and any person who shall violate the above provisions shall be guilty of a misdemeanor, and upon conviction thereof shall, for each and every offense, be fined not to exceed five hundred dollars or be imprisoned not exceeding one year, or both, in the discretion of the court.

Appended hereto are letters from the Navy Department which are made a part of this report.

NAVY DEPARTMENT,
Washington, March 27, 1902.

SIR: Referring to the bill (H. R. 11618) for the relief of Oliva J. Baker, widow of Julian G. Baker, deceased, late an employee in the navy-yard factory, Washington, D. C., and to your communication of the 17th instant with regard thereto, I have the honor to state that the papers, having been referred to the Bureau of Ordnance for

report, have been returned with the following indorsement by the superintendent of the Naval Gun Factory, navy-yard, Washington, where the said Julian G. Baker was at work when he received the injury which resulted in his death:

"The record of Julian G. Baker, in this department, is as follows:

"Employed July 7, 1885, as a diver, temporarily.

"Employed July 2, 1888, as first-class laborer.

"Promoted August 24, 1888, to fourth-class ordnance man.

"Promoted April 1, 1890, to third-class ordnance man.

"Promoted July 1, 1893, to second-class ordnance man.

"Died September 8, 1899, as result of an accident in falling while working in connection with the 110-ton crane in north gun shop.

"There are forwarded herewith copies of the report made by Foreman Lynch at the time and also the recommendation of Commander E. C. Pendleton, superintendent, Naval Gun Factory, and the department's letter, No. 6003 Cs/M, dated September 9, 1899, authorizing the employment of the widow, Mrs. J. G. Baker, as a seamstress for making cartridge bags, and she has been employed ever since."

From the report quoted above and the papers referred to therein (copies of which are forwarded herewith), the committee will be able to determine whether, in accordance with its practice in similar cases, relief, and if so, to what amount, should be granted.

Very respectfully,

HON. JOSEPH V. GRAFF,
*Chairman Committee on Claims,
House of Representatives.*

JNO. D. LONG, *Secretary.*

[Memorandum for the Superintendent Naval Gun Factory.]

WASHINGTON NAVY-YARD,
September 8, 1899.

I respectfully report that No. 4158, Julian G. Baker, second-class ordnance man, was fatally injured (having since died) while hoisting up the shaft and friction clutches of the 110-ton crane by means of a rope and tackle made fast to the roof trusses and a line running from the top block to the snatch block, which was fastened to a column in the gallery with the end fastened to the 40-ton crane.

No. 2011, J. W. Watson, was standing close by Baker at the time of the accident and says the chain was around the column when the strain came on the stopper to such an extent that the chain unhooked from the block. Baker held to the rope, which pulled him off the gallery with terrible force.

I saw him when he let go the rope, which was when about 10 feet off the gallery. He landed on his back, having his legs turned upward. When he struck the floor his head hit with such force that it must have fractured his skull.

Respectfully,

M. A. LYNCH, *Foreman.*

SEPTEMBER 8, 1899.

SIR: 1. I respectfully forward the report made by Foreman Lynch of the accident resulting in the death this morning of Julian G. Baker, second-class ordnance man.

2. Mr. Baker was continuously employed in the gun factory since July 2, 1888, during which time he was industrious, faithful, and a valuable man to the department, and previous to this he served about seventeen years as an enlisted man in the United States Navy.

3. As he leaves a large family without any present means of support, I would respectfully request that authority be granted to employ his widow as a seamstress in the gun factory, as we have constant employment for that class of labor in making cartridge bags.

4. Mr. Baker's death was purely accidental, but in the line of duty, as he had been sent for to take charge of the work on which he was at the time engaged.

Respectfully,

E. C. PENDLETON,
*Commander, U. S. Navy,
Superintendent Naval Gun Factory.*

The COMMANDANT NAVY-YARD,
Washington, D. C.

NAVY DEPARTMENT,
Washington, D. C., September 9, 1899.

SIR: The department is in receipt of the letter of the superintendent of the Naval Gun Factory, No. 3424, of September 8, 1899, and your indorsement thereon, recommending that the widow of Julian G. Baker, who was accidentally killed on the 8th instant while employed in the yard as ordnance man, be given immediate employment as seamstress. In view of the circumstances the department deems this a proper case in which to make an exception to the rules, and upon the receipt of this communication you will direct that Mrs. Baker be given immediate employment as a seamstress. You will also direct that Mrs. Baker fill out and file the usual forms required for registration.

This letter will be filed in the office of the board of labor employment.

Very respectfully,

CHAS. H. ALLEN,
Acting Secretary.

COMMANDANT NAVY-YARD,
Washington, D. C.

U. S. NAVY-YARD,
Washington, D. C., September 11, 1899.

Respectfully referred to the Superintendent of the Naval Gun Factory for his information, and the board of labor employment for compliance and filing.

A. H. McCORMICK,
Captain, U. S. Navy, Commandant.

DEPARTMENT OF THE NAVY,
BUREAU OF ORDNANCE,
Washington, D. C., May 6, 1910.

SIR: Referring to your telephone message of this a. m. to the chief clerk of the bureau:

1. The bureau is informed by telephone from the navy-yard, Washington, D. C., that Julian G. Baker was a second class ordnance man at \$2.80 per diem on September 8, 1899, when he was accidentally killed.

Respectfully,

N. E. MASON,
Chief of Bureau of Ordnance.

CHAIRMAN COMMITTEE ON CLAIMS,
House of Representatives, Washington, D. C.



